

State of Montana
Legislative Branch
Classification and Pay Plan

- I. LEGISLATIVE BRANCH PAY PLAN REQUIREMENTS AND GOALS
 - A. Section 5-11-105, MCA, requires the Legislative Council, with the concurrence of the Legislative Audit Committee and the Legislative Finance Committee, to adopt rules for classification and pay of legislative branch employees.
 - B. Section 2-18-201, MCA, requires the Legislative Council to develop a classification plan for Legislative Branch employees in like manner to the development of the plan for executive branch employees by the Department of Administration.
 - C. A pay plan adopted by the Legislature that includes specific appropriations to legislative branch programs is a part of and supersedes this plan to the extent of a conflict.
 - D. The Legislative Council, the Legislative Finance Committee and the Legislative Audit Committee believe it is in the best interest of the Montana Legislature that a common, cooperatively founded means for establishing fair and competitive pay for legislative personnel be established.

- E. A major purpose of this pay plan is to ensure that like positions are treated equitably relative to classification and compensation, and to support the duty of the Executive Director of the Legislative Services Division, the Legislative Fiscal Analyst, and the Legislative Auditor to set the compensation of their employees with the adoption of a legislative branch classification system, assignment of a pay range to each classification, and adoption and maintenance of pay administration rules.
- F. Because the legislative branch must compete with other entities both in Montana and in the region in attracting and retaining the most qualified staff possible, compensation must be competitive with other state agencies' compensation packages, as well as with compensation offered in the nongovernmental sector, and compensation offered in other states.
- G. To achieve the goal of providing adequate compensation to attract and retain qualified employees, market factors must be considered in addition to technical classification factors. It has been the experience of legislative entities in Montana and other states that persons in professional positions in the legislative branch are often recruited into high level positions outside the branch. To retain these individuals, the legislative branch establishes career ladders and associated staff levels in such cases.
- H. It is a goal of this plan to implement the classification and compensation recommendations included in the *Classification and Compensation Plan for*

the Montana Legislature prepared by the National Conference of State Legislatures and accepted by the Legislative Council with the concurrence of the Legislative Finance Committee and the Legislative Audit Committee June 14, 1996.

II. CLASSIFICATION

- A. All positions in each of the legislative branch entities must be classified as provided in this plan. Classification relates jobs to one another so that similarities and differences can be analyzed in an objective manner.
- B. For the 1997 biennium, classification is based upon the review conducted by the National Conference of State Legislatures and their subsequent recommendations as applied by the Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst for their respective division employees. The directors may seek assistance of the NCSL, a legislative personnel officer, or other appropriate sources in conducting classification work in accordance with this plan.
- C. Position classifications established in conjunction with the implementation of this plan will remain so classified unless reclassification procedures are initiated and reclassification is approved.
- D. Classification will be completed when a new position is created and periodically thereafter to maintain the classification scheme. Each position or staff level must be periodically reviewed to reestablish the requirements

of the position. Reclassification may be appropriate when a position becomes vacant. The method for classification and reclassification is the same.

- E. Classification Basis. The basis for classification of positions in the Legislative Branch is the point factoring method developed by the U.S. Office of Personnel Management.

The factors are evaluated with the assistance of a position information questionnaire completed by the employee in that position or by a supervisor as appropriate. The content of the questionnaire must be reviewed by the supervisor of the position. The questionnaire, reviewer comments, and other information directly bearing upon evaluation of the job factors is then used to evaluate the position on a factor-by-factor basis. A list of factors assigned existing positions must be maintained by the branch. A classification level is assigned to a position in a manner consistent with recommendations in the Classification and Compensation Plan for the Montana Legislature submitted by NCSL in June 1996.

Classification Review and Approval. The final step in position classification involves review and approval by the Executive Director of the Legislative Services Division, the Legislative Auditor, or the Legislative Fiscal Analyst for their respective division employees. Upon approval of a classification, the listings in implementation documents including the position classification

list in the appendix to this plan must be updated to include the new or changed information.

- G. Position Classification List. A list of current job classifications is maintained, accompanied by supporting documentation for each.
- H. Review of Classification. An employee who disagrees with the classification set for his/her position may initiate reclassification proceedings by written request to the division director. The employee must then complete a position information questionnaire. The request for consideration of reclassification, if denied, may be appealed to a three-member panel made up of the Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst. The decision of the review panel is final.

III. COMPARABLE SALARIES AND MARKET ANALYSIS

- A. Section 2-18-301, MCA, indicates the intent of the legislature that compensation plans for state employees be based upon an analysis of the labor market as provided in a salary survey. The Legislative Council is responsible to assure conduct of the legislative branch salary survey. The Executive Director of the Legislative Services Division, the Legislative Auditor, and the Legislative Fiscal Analyst shall cause a salary survey of comparable positions to be conducted each biennium. The directors shall identify comparable positions in state government, the private sector, and in

other state legislatures using sources and methods similar to those used by NCSL and reported in the *Classification and Compensation Plan* report of June 1996.

- B. The directors shall identify a pay range for each class in the legislative branch classification structure based upon analysis of the salary survey using the most appropriate pay grades in the statewide pay schedule. A list of pay ranges associated with each class title and closest executive salary range shall be maintained (see appendix).

IV. PAY ADMINISTRATION

- A. It is a policy of the legislative branch that employee compensation reflect comparability with the state pay plan. The pay administration practices traditionally followed by the legislative branch entities parallel those associated with the state pay plan. This legislative branch pay plan furthers the goal of maintaining comparability with the state pay plan. When "grades" and "entry salary" and "market salary" are referred to in this plan, they are the same terms used in the statewide pay schedules in Section 2-18-312, MCA. Legislative branch pay ranges are established by relating a classification to one or more grade ranges on the statewide pay schedule.
- B. Salary levels and adjustments. All salary levels and adjustments with respect to an individual employee must be approved by the Executive

Director of the Legislative Services Division, the Legislative Fiscal Analyst, or the Legislative Auditor for their respective employees.

- C. Initial Hiring Level. A person new to the legislative branch, unless a training position exception or other documented exception is used, is initially hired at a salary equivalent to the entry salary for the pay range to which the position's classification is assigned.
- D. Pay Exception. If a person being hired has demonstrated ability, skills, experience, or other job related qualifications that make the person's hiring especially attractive, the person may be hired at a salary within the pay range for the class. Support for the exception must be documented and the documentation retained in the individual personnel file.
- E. Training Assignment. A training assignment will be made when a person hired does not meet the minimum requirements for the position. The duration of the training assignment will be based on the time expected to provide the necessary qualifying experience and training. The training assignment may be extended at the discretion of the supervisor for specific periods until minimum requirements are met.
- F. Initial Probationary Period. Each person initially employed by a legislative branch entity for other than a temporary session-related position may serve a probationary period of up to one year as determined appropriate by the

Executive Director of the Legislative Services Division, the Legislative Fiscal Analyst, or the Legislative Auditor for their respective divisions.

- G. Promotion and Transfer. For the purpose of this plan, a "promotion" involves the assignment of an employee from a position at a lower classification to a position at a higher classification that has a position description different than the employee's incumbent position. An increase in compensation due to a change in the pay matrix, reclassification, or as part of a market adjustment is not a promotion for the purpose of this pay plan.
1. If an employee is transferred to a different position at the same or a higher classification from within the branch, the employee must be compensated at a salary within the salary range of the new position. If an employee is transferred to a position with a lower classification, the employee may be paid at a level not to exceed the maximum level for the pay range assigned the position to which he or she is transferred.
 2. Any exception to this policy must be proposed and the rationale documented by the employee's supervisor with documentation maintained in the individual personnel file.
- H. Salary Progression. Salary progression within a range, if any, is based on job performance, improvement in personal knowledge that contributes to job performance, and demonstrated ability to assume increased responsibilities. Each division shall establish specific evaluation criteria on which to base

pay decisions in relation to specific position descriptions for positions. Periodic assessment of the evaluation criteria with respect to each employee shall be reflected in performance evaluations maintained in the individual files.

- I. **Reclassification and Pay.** An incumbent in a position that is reclassified is entitled to receive any additional compensation that may accrue due to a higher classification. The compensation of an incumbent may not be decreased due to a reclassification. An incumbent in a position that is reclassified to a lower pay range than the pay range in which the incumbent is paid at the time of reclassification will be placed at a salary in the new pay range that does not result in a pay decrease for the incumbent. If there is no corresponding salary in the new pay range that is not lower in pay than the incumbent's current pay, the incumbent's pay will be maintained at the salary at which he or she is paid at the time of reclassification. An incumbent whose salary is frozen under such circumstances is not entitled to future pay increases until the pay range and applicable performance factors allow a pay increase.
- J. **Pay Ranges.** The pay ranges for the legislative branch shall be based on the statewide pay schedules established by law for executive branch employees. The entry salary and market salaries shall be as provided by law in Section 2-18-312, MCA. Two or more executive grade ranges may be combined to provide a legislative branch pay range.

- K. Form of the Pay Recommendation. Any recommendation for salary change for an individual other than a change based upon a statutory formula must be written by an appropriate supervisor and reviewed by the individual. The recommendation will state a specific base pay salary recommendation and the basis for the recommendation. The affected employee may prepare written comments for submission with the recommendation. The recommendation is subject to final approval by the Executive Director of Legislative Services, the Legislative Auditor, or the Legislative Fiscal Analyst for an employee of the respective division.
- L. Individual Statutory Salary Adjustments. Individual salaries will be adjusted in accordance with applicable statutory calculations for adjustments to base salaries for incumbents as provided for in section 2-18-303, MCA, and the statutory longevity allowance as adopted by the legislature in section 2-18-304, MCA.
- V. ADOPTION AND AMENDMENT OF PLAN
 - A. This plan is in effect upon approval by the Legislative Council with the concurrence of the Legislative Finance Committee and the Legislative Audit Committee for implementation as of November 1, 1996.
 - B. The plan may be amended by action of the Legislative Council concurred in by the Legislative Finance Committee and the Legislative Audit Committee following publication of the amendment proposal and a reasonable opportunity for staff comment. Data in the appendix and implementation

documents shall be maintained as changes are adopted in accordance with this plan.

Submitted by:

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Appendix

List of Pay Ranges and Associated Classifications

Salary Range	Class Titles	Executive Pay Grades Comprising Range
A	Legislative Secretary I; Receptionist; Library Clerk	7/8
B	Legislative Secretary II; Legislative Documents Technician; Accounting Technician; Proofreader	9/10
C	Library Technician; Legislative Information Officer; Legislative Secretary III; Purchasing / Inventory Coordinator; Payroll, Benefits, Accounting Technician	11/12
D	Legislative Indexer; Administrative Support Manager; Legislative Editor I; Auditor I	13/14
E	Auditor II; Programmer Analyst I; Network Support Specialist I; Network Administrator I; Staff Assistant; Chief Legislative Indexer; Legislative Editor II; Publications Coordinator	14/15
F	Senior Auditor I; Chief Legislative Editor; Fiscal Manager; Personnel Officer; Documents Services Manager; Network Administrator II; Programmer Analyst II; Network Support Specialist II; Legal	16/17

	Researcher I	
G	Senior Auditor II; Research Analyst I; Legal Researcher II; Associate Fiscal Analyst I; Network Support Specialist III; Network Administrator III; Programmer Analyst III; Legislative Attorney I	17/18
H	Senior Auditor III; Legal Researcher III; Research Analyst II; Legislative Attorney II; Legislative Librarian; Senior Fiscal Analyst I; Fiscal Information Specialist; Network Manager I; System Analyst	18/19
I	Audit Manager I; Audit Development Manager; Legislative Attorney III; Research Analyst III; Network Manager II; Systems Analyst II; Applications Development Supervisor; Senior Fiscal Analyst II	19/20
J	Audit Manager II; Legislative Attorney IV	20/21
K	Deputy Legislative Auditor; Legal Counsel; Director of Legislative Information Technology; Legislative Environmental Analyst; Research Director; Principal Fiscal Analyst	22/23
L	Director of Legal Services	23/24
M	Legislative Auditor; Executive Director of Legislative Services; Legislative Fiscal	24/25

	Analyst	
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